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RESOLUTION NO. 04-624

RESOLUTION OF FINDINGS OF ADVISABILITY AND
RESOLUTION AUTHORIZING CONSTRUCTION OF **WATER
DISTRIBUTION SYSTEM NUMBER 448-89958 (SOUTH OF 45TH
STREET NORTH, WEST OF WEBB)** IN THE CITY OF WICHITA,
KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE
GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA,
KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF
CONSTRUCTING **WATER DISTRIBUTION SYSTEM NUMBER 448-89958 (SOUTH OF
45TH STREET NORTH, WEST OF WEBB)** IN THE CITY OF WICHITA, KANSAS, ARE
HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. **04-245** adopted on **May 18, 2004** is hereby
rescinded.

SECTION 1. That it is necessary and in the public interest to construct **Water
Distribution System Number 448-89958 (south of 45th Street North, west of Webb)** in the
City of Wichita, Kansas.

SECTION 2. That the cost of said improvements provided for hereof is estimated to be
Fifty-one Thousand Dollars (\$51,000), exclusive of the cost of interest on borrowed money,
with **100** percent of the total cost payable by the improvement district. Said estimated cost as
above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after
May 1, 2004, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement
district, when ascertained, shall be assessed against the land lying within the improvement
district described as follows:

SAND PLUM ADDITION

Lots 1-2, Block 1

Lots 1-18, Block 2

SECTION 4. That the method of apportioning all costs of said improvements
attributable to the owners of land liable for assessment shall be on a **fractional** basis:

Lot 1, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of
the improvement cost.

Lot 2, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of
the improvement cost.

Lot 3, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 4, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 5, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 6, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 7, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 8, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 9, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 10, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 11, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 12, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 13, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 14, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 15, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 16, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 17, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 18, Block 2, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

The east 91 feet of Lot 1, Block 1, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

The west 91 feet of the east 182 feet of Lot 1, Block 1, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Lot 2, Block 1, Sand Plum Addition Wichita, Sedgwick County, Kansas, EXCEPT, the west 182 feet; ALONG WITH, Lot 1, Block 1, Sand Plum Addition Wichita, Sedgwick County, Kansas, EXCEPT, the east 182 feet shall pay 1/23 of the improvement cost.

The west 91 feet of Lot 2, Block 1, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

The east 91 feet of the west 182 feet of Lot 2, Block 1, Sand Plum Addition Wichita, Sedgwick County, Kansas shall pay 1/23 of the improvement cost.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, November 23, 2004.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)